

EXHIBIT 18

Redacted Excerpts of Deposition of Cung Le

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon)
Fitch, Brandon Vera, Luis Javier)
Vazquez, and Kyle Kingsbury on)
behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

vs.)

Zuffa, LLC, d/b/a Ultimate)
Fighting Championship and UFC,)

Defendants.)

Case No. 2:15-cv-
01045-RFB-(PAL)

VIDEO DEPOSITION OF CUNG LE

Taken at the Offices of Boies, Schiller & Flexner
300 South 4th Street, Suite 800
Las Vegas, Nevada

On Tuesday, April 11, 2017
At 8:39 a.m.

Reported by: Jane V. Efaw, CCR #601, RPR

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<p>1 merged together to do a co-promotion, and I was the</p> <p>2 co-main event, and Frank Shamrock and Phil Baroni was</p> <p>3 the main event. And I knocked out Tony Frykland in</p> <p>4 the third round. And my fourth fight -- well, all my</p> <p>5 Strikeforce fights were in San Jose, but I can't</p> <p>6 remember the fighters. Sam Morgan, another UFC</p> <p>7 Ultimate Fighter event. And then I knocked him out</p> <p>8 in the third round. And then I got a shot at the</p> <p>9 title against Frank Shamrock. Do you need the dates</p> <p>10 for the other two fighters?</p> <p>11 Q. No, I do not.</p> <p>12 A. Frank Shamrock was in 2008, match of 2008.</p> <p>13 And that was still, I guess, a co-promotion between</p> <p>14 the two fight leagues. And I knocked him out in the</p> <p>15 third round with a kick, broke his arm, and won the</p> <p>16 world Strikeforce middleweight title.</p> <p>17 Then from there I took some time off to go</p> <p>18 do three movies back to back. First movie was called</p> <p>19 True Legends, which was a big Chinese director. They</p> <p>20 call him Yuen Woo-ping.</p> <p>21 And then from -- after that I went to</p> <p>22 Germany, did a movie with Ben Foster and Dennis Quaid</p> <p>23 called Pandorum. And it was released worldwide. The</p> <p>24 third movie I did was called Fighting. It was with</p> <p>25 Universal Pictures with Channing Tatum. I don't</p>	<p>1 first loss in Strikeforce.</p> <p>2 Q. So when you say -- when you came back to</p> <p>3 fight, are you referring to when you came back in</p> <p>4 December before --</p> <p>5 A. In December or whatever.</p> <p>6 Q. Whenever that was?</p> <p>7 A. Yeah. I can't remember.</p> <p>8 Q. So you did three movies, you did a fight in</p> <p>9 December, and then you did some more movies?</p> <p>10 A. I did -- no, I can't remember if it was</p> <p>11 three or four. I was doing them</p> <p>12 back-to-back-to-back-to-back. So I couldn't remember</p> <p>13 exactly how many movies. Then I did a fight. And I</p> <p>14 lost. And I believe they gave me a rematch within</p> <p>15 six months, and I continued to train. And then I</p> <p>16 ended up winning that fight in the second round.</p> <p>17 And then I ended up doing two movies back to</p> <p>18 back. Dragon Eyes and The Man with the Iron Fists,</p> <p>19 which was with -- Dragon Eyes, I got a chance to star</p> <p>20 in my first movie with Jean-Claude Van Damme and</p> <p>21 Peter Weller, which is Robocop. And then The Man</p> <p>22 with the Iron Fists was with Russell Crowe, Lucy Liu,</p> <p>23 Dave Bautista, Daniel Wu, and Jamie Chung. And I</p> <p>24 think that's all I can remember.</p> <p>25 Then I came back to the states and was at</p>
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<p>1 remember the actor's name. The guy from Empire.</p> <p>2 And then I came back when Scott asked me --</p> <p>3 he needed a main event for -- in December, which gave</p> <p>4 me eight weeks. And I wasn't doing anything, so I --</p> <p>5 Q. December of what year?</p> <p>6 A. December of 2 -- I don't remember. I'm sure</p> <p>7 it's on the record somewhere, but I can't find it. I</p> <p>8 don't know where it is.</p> <p>9 Q. I'm sure it is. So after three movies, you</p> <p>10 come back and do a fight for Strikeforce?</p> <p>11 A. Yeah. After the third movie, because I</p> <p>12 really wanted to work with, you know, the big</p> <p>13 studios, I couldn't hang onto the belt. So I decided</p> <p>14 to vacate my title so I can do the movies. It was</p> <p>15 actually on the fourth movie when I decided that I</p> <p>16 was going to vacate the title because I got a chance</p> <p>17 to work with a very famous director called -- his</p> <p>18 name was Wong Kar-wai, and he's really famous in</p> <p>19 China. So I did that one.</p> <p>20 And then another movie followed, which was</p> <p>21 called Bodyguards and Assassins. That's with Donnie</p> <p>22 Yen, which is probably the biggest Chinese action</p> <p>23 star right now.</p> <p>24 And then when I did come back to fight, I</p> <p>25 was dominating the fight, and I lost. I suffered my</p>	<p>1 Comic-Con promoting movies. Comic-Con is the biggest</p> <p>2 comic book show in, I guess, the U.S. or the world.</p> <p>3 And then I mentioned that by that time,</p> <p>4 Strikeforce was already bought by UFC. And I ended</p> <p>5 up saying that I wanted to fight for the UFC. And</p> <p>6 then Dana and Lorenzo brought me in and gave me a</p> <p>7 contract, and I think that was the end of my</p> <p>8 Strikeforce, I guess, deal because they tore my</p> <p>9 existing contract up.</p> <p>10 Q. All right. Now, you say -- you mentioned a</p> <p>11 number of movies. You said, specifically I thought</p> <p>12 that you starred in a movie called Dragon Eyes; is</p> <p>13 that correct?</p> <p>14 A. That was my first starring role, which was</p> <p>15 called Dragon Eyes, yes.</p> <p>16 Q. What other movies have you had starring</p> <p>17 roles in?</p> <p>18 A. A movie by Lionsgate or Lighthouse called</p> <p>19 Puncture Wounds with Dolph Lundgren, Vinnie Jones,</p> <p>20 and Briana Evigan. Those are my two starring roles.</p> <p>21 And all the other ones were supporting leads, either</p> <p>22 the main villain or a supporting lead to the lead</p> <p>23 actor.</p> <p>24 Q. And when you say "the other ones," you had</p> <p>25 supporting leads that would have been all the other</p>

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<p>1 movies?</p> <p>2 A. Yeah. Like the Man with the Iron Fists.</p> <p>3 Fighting with Channing Tatum. Pandorum I was, I</p> <p>4 guess, either fourth or fifth on the -- they call it</p> <p>5 the credits. And then Puncture Wounds, I was a lead.</p> <p>6 And True Legends, I was one of the main villains.</p> <p>7 Bodyguards and Assassins, I was the main villain with</p> <p>8 the main fight scene. The Grandmaster was nominated</p> <p>9 for two Oscars in film choreograph or cinematography</p> <p>10 or whatever it's called. And then best wardrobe.</p> <p>11 I was shooting two movies at the same time</p> <p>12 there. I was shooting that movie, and I was doing</p> <p>13 the Man with the Iron Fists, going back and forth. I</p> <p>14 guess I wasn't like a villain or a good guy. I was</p> <p>15 just one of the grandmasters who fought another</p> <p>16 grandmaster. And then for the Man with the Iron</p> <p>17 Fists, I was one of the main guys in the Lion clan.</p> <p>18 Q. Have you ever been deposed before?</p> <p>19 A. I have never been deposed before.</p> <p>20 Q. Have you ever testified as a witness in any</p> <p>21 trial or any type of proceeding?</p> <p>22 A. I have not been a witness.</p> <p>23 Q. Other than this lawsuit, have you ever been</p> <p>24 a party to a lawsuit, either as a plaintiff or a</p> <p>25 defendant?</p>	<p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>
Page 19	Page 21
<p>1 A. No, I have not.</p> <p>2 Q. And how did you first decide to -- well, let</p> <p>3 me put it this way: Before you agreed to be a</p> <p>4 plaintiff in this case, who did you talk to?</p> <p>5 MR. DELL'ANGELO: Let me just instruct the</p> <p>6 witness that you can answer the question provided you</p> <p>7 don't reveal the substance of your communications</p> <p>8 with any attorneys.</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>	<p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p>

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Q. And did anyone negotiate with Strikeforce on your behalf with respect to the fighter contracts?

A. No one.

Q. So you personally negotiated your fighter

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contracts with Strikeforce; is that correct?

MR. DELL'ANGELO: Object to the form. Lacks foundation.

THE WITNESS: One more time, please.

BY MR. ISAACSON:

Q. You personally negotiated your fighter contracts with Strikeforce; is that correct?

A. Yes.

MR. DELL'ANGELO: Same objection.
BY MR. ISAACSON:

Q. And you personally handled any negotiations about fighter contracts with the UFC; is that correct?

A. Can you repeat the last one? Sorry.

Q. You personally had any discussions about fighter contracts with the UFC that took place about you. I said that terribly.

You were the one who handled any discussions with the UFC about your fighter contracts with the UFC; is that correct?

A. I flew in and talked to Dana and Lorenzo.

Q. Was that for your initial contract?

A. Yes.

Q. And when you flew in, you flew in from where to where?

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A. From the Bay Area into Las Vegas.

Q. And did they fly you into Las Vegas?

A. No. I was already heading over there.

Q. And you had a meeting with them. What did they say to you in the meeting?

A. A lot of things were said. Lorenzo said I was one of his favorite fighters, and he wants me to fight for the UFC. And he used to watch -- him and Dana used to watch me on ESPN do scissor kicks on people and throw people on their heads and do crazy kicks. And they used to enjoy my fights. And they love what I did to Frank Shamrock, especially Dana. And they want me to be under the UFC stable.

BY MR. ISAACSON:

Q. How well did you know Dana White at the conclusion of that meeting? Is that the first time you had met him?

MR. DELL'ANGELO: Object to form.

THE WITNESS: I had met Dana before.

BY MR. ISAACSON:

Q. What did you say to Dana White and Lorenzo during this meeting about joining the UFC?

A. I said I was interested in fighting for the UFC, and I just answered a few of Dana's questions and listened to Lorenzo talk about my career with

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Strikeforce on ESPN and enjoyed me as an MMA fighter when I fought with Strikeforce. And to give him a bid and let them talk over something. And he walked me down to their kitchen and had their chef cook me some egg whites. And then I waited there for a bit. And they brought me back up, and Lorenzo had a contract for me. And he handed it to me. And I grabbed it, and I looked it over, but it was that thick.

So they started talking about something else. And I said, Is it cool if I look it over and have someone look it over? They're like, Yes. And we talked a little bit more, and then I was off.

Q. When you said could you have someone look it over, who did you have in mind to look it over?

A. At that time, I didn't have anyone in mind. I was just making sure that I cover all my bases if this was real or not. You know, because I was still under a contract with Strikeforce, but they bought out Strikeforce. So I was just, you know, kind of, you know, there. I was there.

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 11 Q. The contract offer that they gave you that
 12 day that you visited the UFC, that increased your
 13 compensation from what you were making at
 14 Strikeforce; is that correct?

15 MR. DELL'ANGELO: Object to the form.

16 THE WITNESS: Yes, that is correct.

17 BY MR. ISAACSON:

18 Q. And did you later sign that agreement?

19 A. Yes, I did.
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17 Q. And you also had contracts for Ultimate
 18 Fighter China with UFC; is that right?

19 A. A contract --

20 Q. I'm sorry. They paid you for your work on
 21 the Ultimate Fighter in China; correct?

22 MR. DELL'ANGELO: Object to the form.

23 THE WITNESS: Like being part of the show?

24 BY MR. ISAACSON:

25 Q. Yeah.

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1 A. Yes, they did. But I couldn't really
 2 negotiate my contract because it was -- you really
 3 couldn't negotiate with Dana.

4 Q. When you say you couldn't negotiate, you
 5 mean your agreement for the Ultimate Fighter show in
 6 China?

7 A. Yes.

8 MR. ISAACSON: I'll mark this Exhibit 3.

9 (Whereupon Exhibit 3 was marked
 10 for identification.)
 11 [REDACTED]
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1 can't remember exactly, but the main concern I was
 2 worried about is with the movies, and since they want
 3 to lock down everything, with my identity, I just had
 4 to make sure it's clear because there are certain
 5 movies that will cast me, but then if they make an
 6 action figure, then I need to have something where
 7 I'm not locked up completely.

14 MR. DELL'ANGELO: You can answer the
 15 question without revealing the substance of your
 16 communications with your attorney.

17 THE WITNESS: Yeah.

18 BY MR. ISAACSON:

19 Q. So was it your view at the time that by
 20 adding to the language relating to the UFC brand or
 21 the bouts to the identity rights provision, that you
 22 weren't really changing the meaning of the provision?

23 A. I don't understand what you're saying.

24 Q. Well, you said, "I believe this doesn't
 25 really change anything from the contract, the

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1 proposed language." I'd like to know what you mean
 2 by that. Why doesn't this proposed language change
 3 anything in the contract?

4 A. I think it just makes it more clear that my
 5 likeness has the UFC, and of course the UFC brand is
 6 with me, and UFC, they own the likeness. But me
 7 without the UFC, I can go do another movie and not be
 8 locked into something with them.

9 Q. So I think I understand it. So the point of
 10 the language is to make clear that UFC will own your
 11 identity rights when you have the UFC brand, but when
 12 you don't have the UFC brand, they don't have those
 13 rights; is that correct?

14 A. I believe so.

15 Q. And by proposing that language, you didn't
 16 think you were actually changing the contract?

17 A. I don't know. I sent it in. It's been a
 18 while.

19 Q. When you said "I believe this doesn't really
 20 change anything in the contract," you understood that
 21 the contract identity rights provisions applied to
 22 you when you wore the UFC brand, but when you weren't
 23 wearing the UFC brand, you were free to do what you
 24 want; is that correct?

25 A. Uh-huh. Yes.

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1 Q. Thank you. And Mr. Epstein responded to you
 2 at the top of the page that he was fine with making
 3 the change to Section 3.1. Do you see that?

4 A. Uh-huh, yes.

5 Q. And in fact, they did make the change to
 6 your contract in the revised promotional agreement;
 7 isn't that correct?

8 A. Yes. But what I was saying doesn't really
 9 change anything because whether it's now or down the
 10 line, they own the likeness forever, just like the
 11 contracts that they have keeps extending, and then
 12 your likeness is part of the contract under this.
 13 And it just continues.

14 Q. And what you believe is that under the
 15 contract you signed, that UFC owns your likeness
 16 forever as long as you're wearing the UFC logo; is
 17 that right?

18 A. I believe it's just my likeness.

19 Q. So do you believe that since you retired
 20 that the UFC owns any part of your likeness as long
 21 as you're not wearing the UFC logo?

22 MR. DELL'ANGELO: Object to the form.

23 THE WITNESS: You know, I don't know what
 24 they still promote out there. I don't see it all.
 25 So if I saw everything that they had of mine, whether

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1 it had a UFC logo or not, I don't know what they're
 2 using, so I couldn't answer your question. I know
 3 there's trading cards and there's action figures that
 4 are out there.

5 BY MR. ISAACSON:

6 Q. Well, I'm talking about your -- since you
 7 retired, anything you do where you're not wearing UFC
 8 gear or logo. No one's ever tried to restrain you
 9 from doing anything; right?

10 MR. DELL'ANGELO: Object to the form.

11 THE WITNESS: Not that I know of.

12 BY MR. ISAACSON:

13 Q. No one's ever written to you and said,
 14 Mr. Le, you have to stop doing this promotion or that
 15 promotion since you retired?

16 A. No. I was still stuck in the contract for
 17 over a year and a half after I retired. And I
 18 couldn't -- at one point I couldn't even be a
 19 commentator somewhere else. And I couldn't even
 20 negotiate that I was going to fight with someone else
 21 because UFC has it that I still had two fights left
 22 on my contract, which should already have been done.
 23 So I couldn't go to Bellator to even talk with anyone
 24 else.

25 And really there's -- you know, I was stuck.

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 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 BY MR. DELL'ANGELO:
 23 Q. And who is Lawrence Epstein, if you know?
 24 A. He's a lawyer of the UFC.
 25 Q. And do you know who Marc Ratner is?

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1 A. I believe he works as the commissioning body
 2 of the fight, I think.
 3 Q. Is that for the UFC?
 4 A. Yes.
 5 MR. DELL'ANGELO: I have no further
 6 questions.
 7 MR. ISAACSON: No questions.
 8 THE VIDEOGRAPHER: This concludes the video
 9 deposition of Cung Le. We are now going off the
 10 record. The time is approximately 3:14 p.m.
 11 MR. DELL'ANGELO: Before we go off, I just
 12 want to note that we're going to read and sign. And
 13 we'd like to designate it confidential subject to
 14 review.
 15 THE REPORTER: And would you like a copy of
 16 the transcript, the same as last time?
 17 MR. DELL'ANGELO: Yes, same order.
 18 (Thereupon the taking of the
 19 deposition was concluded at
 20 3:15 p.m.)
 21 * * * * *

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1 CERTIFICATE OF DEPONENT
 2 PAGE LINE CHANGE REASON
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 15 * * * * *
 16
 17 I, CUNG LE, deponent herein, do hereby
 18 certify and declare the within and foregoing
 19 transcription to be my deposition in said action;
 20 that I have read, corrected and do hereby affix my
 21 signature to said deposition.
 22
 23 _____
 24 CUNG LE, Deponent
 25

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1 REPORTER'S CERTIFICATE
 2 STATE OF NEVADA)
 3) SS:
 4 COUNTY OF CLARK)
 5 I, Jane V. Efaw, CCR No. 601, do hereby certify:
 6 That I reported the taking of the deposition of
 7 the witness, CUNG LE, at the time and place
 8 aforesaid;
 9 That prior to being examined, the witness was by
 10 me duly sworn to testify to the truth, the whole
 11 truth, and nothing but the truth;
 12 That I thereafter transcribed my shorthand notes
 13 into typewriting and that the typewritten transcript
 14 of said deposition is a complete, true and accurate
 15 transcription of said shorthand notes taken down at
 16 said time, and that a request has been made to review
 17 the transcript.
 18 I further certify that I am not a relative or
 19 employee of counsel of any party involved in said
 20 action, nor a relative or employee of the parties
 21 involved in said action, nor a person financially
 22 interested in the action.
 23 Dated at Las Vegas, Nevada, this ____ day of
 24 _____, 2017.
 25 _____
 Jane V. Efaw, CCR #601